

ESTTA Tracking number: **ESTTA510012**

Filing date: **12/10/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Nat Arem
Granted to Date of previous extension	12/09/2012
Address	645 Hazelhurst Avenue Merion Station, PA 19066 UNITED STATES

Correspondence information	Lisa A. Lori Attorney of record Klehr Harrison Harvey Branzburg LLP 1835 Market Street Suite 1400 Philadelphia, PA 19103 UNITED STATES trademarks@klehr.com Phone:215-569-2700
----------------------------	--

Applicant Information

Application No	85463215	Publication date	06/12/2012
Opposition Filing Date	12/10/2012	Opposition Period Ends	12/09/2012
Applicants	<p>Jordan Summers 7626 West Kerry Drive Boise, ID 83714 UNITED STATES</p> <p>Ryan Summers 1674 Rose Avenue Beaumont, CA 93374 UNITED STATES</p>		

Goods/Services Affected by Opposition


Class 025. First Use: 2011/10/23 First Use In Commerce: 2011/10/23

All goods and services in the class are opposed, namely: Clothing, namely, jeans, pants, shorts, overalls, shortalls, leggings, rompers, jackets, coats, sweatshirts, sweaters, t-shirts, shirts, vests, skirts, dresses, scarves, gloves, caps, hats, gloves, socks, shoes, tights, hosiery, sleepwear, aprons, bathing suits and underwear, athletic apparel, namely, sweat pants, running shorts, running pants, jackets, and beanies

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

Mark Cited by Opposer as Basis for Opposition

U.S. Application No.	85694914	Application Date	08/03/2012
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	HOOKGRIP		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 2011/08/07 First Use In Commerce: 2011/08/07 Information services, namely, providing a web site featuring audio, video, photographic and prose presentations featuring weight lifting		

Attachments	85694914#TMSN.jpeg (1 page)(bytes) revised Notice of Opposition.pdf (10 pages)(1561109 bytes)
-------------	---

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Lisa A. Lori/
Name	Lisa A. Lori
Date	12/10/2012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

NATHANIEL AREM

Opposer,

v.

JORDAN SUMMERS AND RYAN
SUMMERS

Applicant.

Opposition No.

NOTICE OF OPPOSITION

In the matter of Trademark Application Serial No. 85/463215 filed November 3, 2011, for "HOOK GRIP" for "Clothing, namely, jeans, pants, shorts, overalls, shortalls, leggings, rompers, jackets, coats, sweatshirts, sweaters, t-shirts, shirts, vests, skirts, dresses, scarves, gloves, caps, hats, gloves, socks, shoes, tights, hosiery, sleepwear, aprons, bathing suits and underwear, athletic apparel, namely, sweat pants, running shorts, running pants, jackets, and beanies" ("applicant's services"), filed in International Class 25 and published for opposition on June 12, 2012 in the Official Gazette at page 815.

Nathaniel Arem (hereinafter "opposer"), an adult individual with an address at 645 Hazelhurst Avenue Merion Station Pennsylvania 19066, believes that he will be damaged if such registration is issued and, therefore, hereby gives notice of his intention to oppose the registration of said service mark application.

The grounds for opposition are as follows:

1. Applicant seeks to register the mark "HOOK GRIP," filed November 3, 2011, for applicant's services, as evidenced by the publication of applicant's mark on June 12, 2012 in the Official Gazette at page 815.
2. Opposer owns the mark "HOOKGRIP," for information services, namely, providing a web site featuring audio, video, photographic and prose presentations featuring weight lifting, as well as certain clothing in connection with weightlifting.
3. Arem also owns the domain name www.hookgrip.com, which he acquired on August 16, 2010.
4. Opposer filed trademark applications on August 3, 2012, Serial Numbers 85694914 and 85694942, in the United States Patent and Trademark Office for "Information services, namely, providing a web site featuring audio, video, photographic and prose presentations featuring weight lifting" (hereinafter "opposer's services"). A copy of Opposer's Application is attached hereto as Exhibit A.
5. Opposer has continuously used his "HOOKGRIP" mark, Serial Number 85694914 in connection with opposer's services since at least as early as August 7, 2011. Such use is long prior to the filing date of applicant's application and prior to applicant's purported first use date.
6. By virtue of opposer's continuous and substantial use and promotion of "HOOKGRIP" for opposer's services and by virtue of opposer maintaining its high quality standards for such services, purchasers of such services and others have come to recognize the "HOOKGRIP" mark as an indication of origin with opposer. As a result, opposer has

established valuable goodwill and exclusive rights in said "HOOK GRIP" mark.

7. Opposer's mark and Applicant's mark are identical in sound, meaning, and connotation.

8. Applicant's services intended to be sold under applicant's mark may be related to the services offered in connection with opposer's mark and may be rendered or may likely be rendered through the same or commercially-related channels of trade to the same or overlapping classes of customers.

9. The applicant's mark, as used for its services, would lead persons familiar with opposer's "HOOK GRIP" mark and the services sold in connection therewith to believe that applicant's services are produced by or sold in affiliation with or under license from opposer.

10. Additionally, applicant's mark, by reason of its identity to opposer's mark, will be able to gain a foothold in opposer's market or related markets, by exploiting subliminal or subconscious association with opposer's mark. Purchasers of applicant's services will thus identify the properties and reputation of applicant's services with those of opposer.

11. For the reasons stated above, opposer believes that if applicant is permitted to register its "HOOK GRIP" mark for applicant's services, confusion of the trade and public resulting in damage and injury to opposer would be caused or would result by reason of the identity between applicant's mark and opposer's mark. Customers familiar with opposer's services and opposer's "HOOKGRIP" mark would be likely to purchase applicant's services believing them to originate from or be sponsored by opposer. Any defect, objection, fault or adverse publicity in connection with applicant's services marketed under a mark confusingly similar to the opposer's mark will necessarily reflect on and seriously injure the reputation that

opposer has established for its services.

12. If applicant is granted a registration for its mark for the services identified, it would obtain thereby at least a prima facie exclusive right to use such mark. Such registration would be a source of damage and injury to opposer and to opposer's customers.

WHEREFORE, opposer prays that Application Serial No. 85/463215 be rejected, that registration of the mark therein sought be denied and refused, and this opposition be sustained.

Please charge any fees for this Notice of Opposition to our Miscellaneous Account No. 501555.

Respectfully submitted,

NATHANIEL AREM

Date: December 10, 2012

BY: /Lisa A. Lori/
KLEHR HARRISON HARVEY
BRANZBURG LLP
Lisa A. Lori, Esq.
1835 Market Street, Suite 1400
Philadelphia, PA 19103
llori@klehr.com
(215) 569-2585

Attorney for Opposer

EXHIBIT A

Frankenfield, Beth

From: teas@uspto.gov

Sent: Friday, August 03, 2012 3:35 PM

To: Frankenfield, Beth

Subject: 16745.0002 Serial number 85694914: Received Your Trademark/Service Mark Application, Principal Register

MARK: HOOKGRIP (Standard Characters, mark.jpg)

The literal element of the mark consists of HOOKGRIP.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

We have received your application and assigned serial number '85694914' to your submission. The summary of the application data, *bottom below*, serves as your official filing receipt.

In approximately 3 months, an assigned examining attorney will review your application to determine if all legal requirements are met. Currently, your mark is **not** registered and is considered a "pending" application. The overall process from the time of initial filing to registration or final refusal can take 13-18 months or even longer, depending on many factors; e.g., the correctness of the original filing and the type of application filed. It is **CRITICAL** that you check the status of your application **at least every 3 - 4 months** and promptly contact the Office if a letter (an "Office action") or notice has issued for your application that you did not receive or do not understand. To check the status, please use <http://tarr.uspto.gov>. Do **not** submit status requests to TEAS@uspto.gov. Failure to respond timely to any Office action or notice may result in the abandonment of your application, requiring you to pay an additional fee to have your application revived even if you did not receive the Office action or notice.

Please view all incoming and outgoing correspondence at <http://portal.uspto.gov/external/portal/tow>. If your status check reveals an issued Office action or notice that you did not receive, immediately view the action/notice through the USPTO website. The USPTO does not extend filing deadlines due to a failure to receive USPTO mailings/e-mailings. You must ensure that you update your record if your mail and/or e-mail address changes, using the form available at <http://www.uspto.gov/teas/eTEASpageE.htm>.

If you discover an error in the application data, you may file a Voluntary Amendment, at <http://www.uspto.gov/trademarks/teas/miscellaneous.jsp>. Do **not** submit any proposed amendment to TEAS@uspto.gov, because the technical support team may not make any data changes. **NOTE:** You must wait approximately 7-10 days to submit any Voluntary Amendment, to permit initial upload of your serial number into the USPTO database. The acceptability of any Voluntary Amendment will only be determined once regular examination begins, since the assigned examining attorney must decide whether the change proposed in the amendment is permissible. **Not all errors may be corrected;** e.g., if you submitted the wrong mark, if the proposed correction would be considered a material alteration to your original filing, it will not be accepted, and your only recourse would be to file a new application (with **no** refund for your original filing).

Since your application filing has already been assigned a serial number, please do **not** contact TEAS@uspto.gov to request cancellation. The USPTO will only cancel the filing and refund your fee if upon review we determine that the application did not meet minimum filing requirements. **The fee is a processing fee that the USPTO does not refund, even if your mark does not proceed to registration.** **NOTE:** The only "exception" to the above is if you inadvertently file duplicate applications specifically because of a *technical glitch* and not

merely a misunderstanding or mistake; *i.e.*, if you believe that the first filing did not go through because no confirmation was received and then immediately file again, only to discover later that both filings were successful, then the technical support team at TEAS@uspto.gov can mis-assign and refund one of the filings.

WARNING: You may receive unsolicited communications from companies requesting fees for trademark related services, such as monitoring and document filing. Although solicitations from these companies frequently display customer-specific information, including USPTO serial number or registration number and owner name, companies who offer these services are not affiliated or associated with the USPTO or any other federal agency. The USPTO does not provide trademark monitoring or any similar services. For general information on filing and maintenance requirements for trademark applications and registrations, including fees required by law, please consult the USPTO website.

APPLICATION DATA: Trademark/Service Mark Application, Principal Register

The applicant, Nathaniel Arem, a citizen of United States, having an address of
645 Hazelhurst Avenue
Merion Station, Pennsylvania 19066
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 028: Information services, namely, providing a web site featuring audio, video, photographic and prose presentations featuring weight lifting

In International Class 028, the mark was first used by the applicant or the applicant's related company or licensee at least as early as 08/07/2011, and first used in commerce at least as early as 08/07/2011, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) web page showing use of the mark in connection with the stated services.

Specimen-1 [SPE0-6320917811-125627560_.hookgrip.pdf]

The applicant's current Attorney Information:

Lisa A. Lori and Ari S. Indik of Klehr Harrison Harvey Branzburg LLP

Suite 1400
1835 Market Street
Philadelphia, Pennsylvania 19103
United States

The attorney docket/reference number is 16745.0002.

The applicant's current Correspondence Information:

Lisa A. Lori
Klehr Harrison Harvey Branzburg LLP
Suite 1400
1835 Market Street
Philadelphia, Pennsylvania 19103

215-569-2700(phone)

215-568-6603(fax)

trademarks@klehr.com (authorized)

A fee payment in the amount of \$325 will be submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051 (b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Lisa A. Lori/ Date: 08/03/2012

Signatory's Name: Lisa A. Lori

Signatory's Position: Attorney of record, PA Bar member

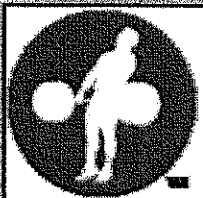
Thank you,

The TEAS support team

Fri Aug 03 15:35:15 EDT 2012

STAMP: USPTO/BAS-63.209.178.11-20120803153515079534-85694914-

4901118ecea6c16f748dbbf1233b019605d-DA-2159-20120803145418409045

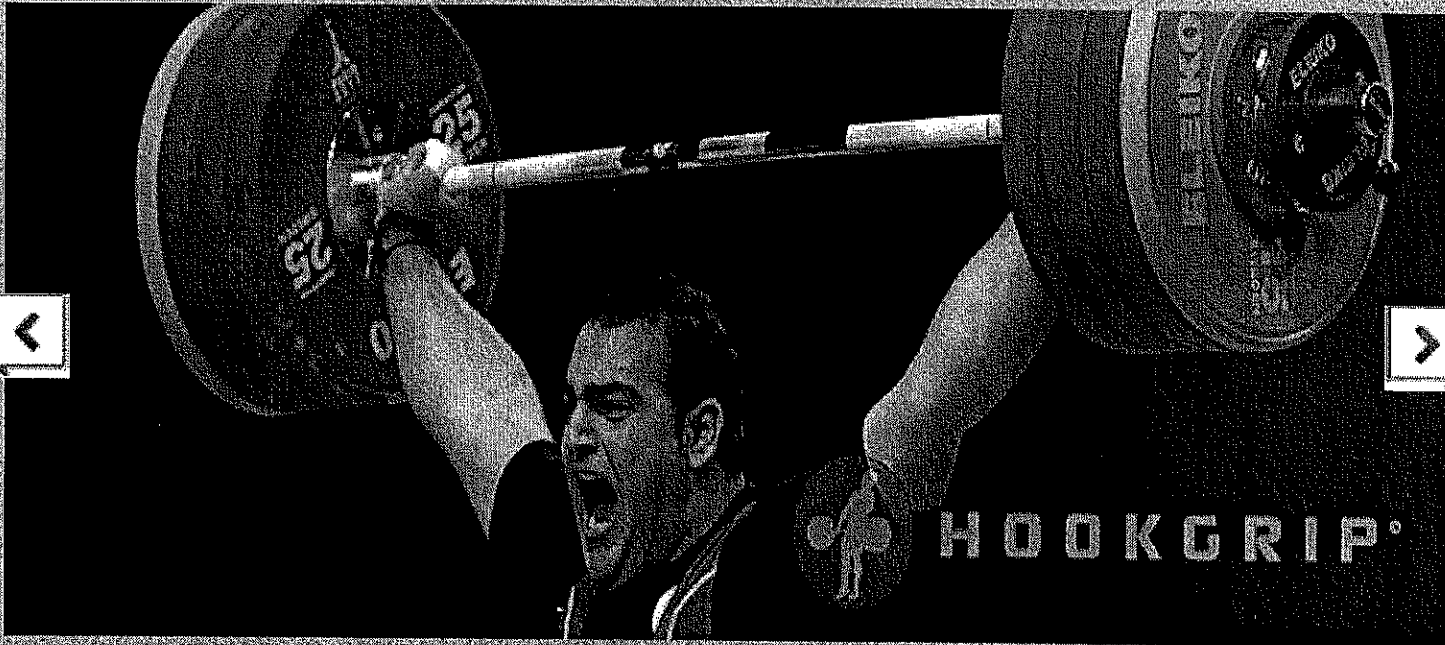


HOOKGRIP

- Home
- About
- Contact Us
- Pictures/FAQ



Search this site...



hookgrip: Olympic-style weightlifting pictures, news, results and more

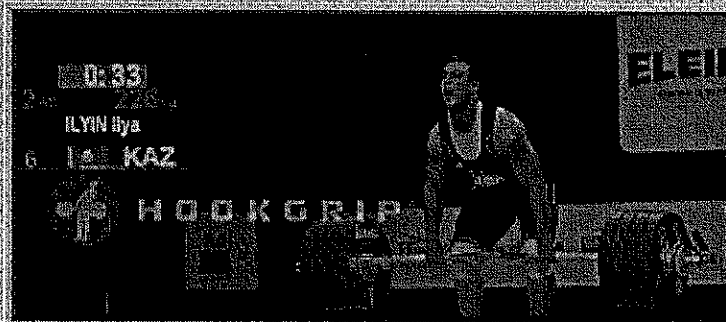
hookgrip.com is still being developed and will be built out over the course of 2012.

About



hookgrip.com will be an informational website about the sport of Olympic-style weightlifting. It will have news, results, photos, videos, interviews, articles, product reviews, gym/club listings and more. The hope is to get all of this information up as soon as possible but in reality, it will likely take several months at a minimum.

Pictures FAQ



As you may know, I attended the 2011 WWC, the 2012 US Nationals, the 2012 Junior Worlds / Pan Ams and the 2012 Canadian Nationals. The result? I have thousands of pictures from many of the sessions at those events. I've gotten a lot of interest from lifters and others who would like copies of pictures. If you're interested, please click through to read more.

The Plan



You might be wondering what the plan is for hookgrip. Let me explain. Click through to read more.

Twitter & YouTube

Follow hookgrip on twitter



Also, check out the [hookgrip youtube channel here](#).

Facebook

Like hookgrip on facebook

